

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENWOOD DIVISION

Robert Peoples, #270600,	)	C/A NO. 8:07-2897-CMC-BHH
	)	
Plaintiff,	)	
	)	<b>ORDER</b>
v.	)	
	)	
SCDC; Warden Anthony Padula, Lee	)	
Correctional Institution; Lt. Clarence	)	
Rogers, Lee C.I.; Lt. Matthew Williams,	)	
Lee C.I.; Nurse Cheryl Owens, Lee C.I.;	)	
Sgt. Belinda Davis, Lee C.I.; Sgt. Vivian	)	
McCall, Lee C.I.; and IGC Ms. Driggers;	)	
All in their individual Capacities,	)	
	)	
Defendants.	)	
_____	)	

This matter is before the court on Plaintiff's motion for preliminary injunction (Dkt. # 18) and Motion for Order to Show Cause (Dkt. # 30). In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2)(d), DSC, this matter was referred to United States Magistrate Judge Bruce Howe Hendricks for pre-trial proceedings and a Report and Recommendation ("Report"). On January 30, 2008, the Magistrate Judge issued a Report recommending that the motion for preliminary injunction and motion to show cause be denied. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. Plaintiff filed objections to the Report on February 8, 2008.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *See Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a specific objection is

made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b).

After reviewing the record of this matter, the applicable law, the Report and Recommendation of the Magistrate Judge, and the objections of the Plaintiff, the court agrees with the conclusions of the Magistrate Judge. Accordingly, the court adopts and incorporates the Report and Recommendation by reference in this Order. Plaintiff's motions for preliminary injunction and to show cause are **denied**. This matter is recommitted to the Magistrate Judge for further proceedings.

**IT IS SO ORDERED.**

s/ Cameron McGowan Currie  
CAMERON MCGOWAN CURRIE  
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina  
February 20, 2008